

NATIVE VILLAGE OF EYAK TRIBAL COUNCIL,	:	Order Affirming Decisions
	:	
Appellant	:	
	:	
v.	:	Docket Nos. IBIA 94-126-A
	:	IBIA 94-127-A
ACTING JUNEAU AREA DIRECTOR,	:	
BUREAU OF INDIAN AFFAIRS,	:	
Appellee	:	October 24, 1994

These are appeals from an April 11, 1994, decision of the Acting Juneau Area Director, Bureau of Indian Affairs (Area Director), denying appellant's applications for a FY 1994 Planning grant and a FY 1994 Training and Technical Assistance grant. Appellant's notice of appeal was transmitted to the Board by the Area Director, who also transmitted the administrative record.

Appellant's notice of appeal, which was addressed to the Area Director, stated in its entirety:

Upon receipt of your notification of our recent grant applications of Planning and Training and Technical Assistance denial, we are officially notifying you we are requesting an appeal regarding these decisions.

In addition, we are requesting information regarding procedures and policies relating to the appeal process, and what deadlines must be met for information submitted on our behalf.

Thank you for your immediate response to this letter. Should you have any questions, please contact our office immediately.

In response to the requests made in appellant's notice of appeal, the Area Director sent appellant a complete copy of the administrative record in this matter. He also informed appellant that the Board would provide further information concerning procedures.

The Board's notice of docketing informed appellant of its briefing privileges and advised appellant that it bore the burden of proving error in the Area Director's decision.

Appellant did not file a brief.

An appellant who fails to make any allegation of error in the Area Director's decision, let alone any argument in support of such an allegation, has not carried its burden of proof. Forrest v. Acting Muskogee Area Director, 25 IBIA 268 (1994). Appellant has not carried its burden of proof in this case.

Therefore, pursuant to the authority delegated to the Board of Indian Appeals by the Secretary of the Interior, 43 CFR 4.1, the Area Director's April 11, 1994, decision is affirmed.

Anita Vogt
Administrative Judge

Kathryn A. Lynn
Chief Administrative Judge